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3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

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7 UNITED STATES OF AMERICA, ) 2:07-CR-00077-PMP-RJJ  
8 Plaintiff, ) **ORDER**  
9 vs. )  
10 JOEY DESHAUN CLARK, )  
11 Defendant. )  
12

13 Before the Court for consideration is Defendant Joey Deshaun Clark's Motion  
14 to Suppress Evidence for Fourth and Fifth Amendment Violation (Doc. #18) filed June  
15 8, 2007. On December 21, 2007, United States Magistrate Judge Robert J. Johnston  
16 entered a Report and Recommendation (Doc. #51) recommending Defendant's motion  
17 to suppress be denied.

18 On January 4, 2008, Defendant Clark filed objections to the report and  
19 recommendation of the Magistrate Judge (Doc. #53). On June 22, 2007, the  
20 Government filed its Response in Opposition to Defendant's motion to suppress (Doc.  
21 #22).

22 In accord with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rules of  
23 Practice, LR IB 3-2, the Court has conducted a de novo review of the record before  
24 Magistrate Judge Johnston. Based upon that review the Court finds that Defendant's  
25 Motion to Suppress (Doc. #18) should be denied, and the Report and Recommendation  
26 of Magistrate Judge Johnston (Doc. #51) should be affirmed.

1 IT IS THEREFORE ORDERED that Defendant Clark's Objections to Report  
2 and Recommendations of the United States Magistrate Judge (Doc. #53) are  
3 OVERRULED.

4 IT IS FURTHER ORDERED that Magistrate Judge Johnston's Report and  
5 Recommendation (Doc. #51) are AFFIRMED.

6 IT IS FURTHER ORDERED that Defendant Joey Deshaun Clark's Motion to  
7 Suppress Evidence for Fourth and Fifth Amendment Violation (Doc. #18) is DENIED.

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9 DATED: January 10, 2008.

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12 PHILIP M. PRO  
13 United States District Judge  
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